PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 05-405)

Group Art Unit: 2621

Examiner: Not Assigned

In re Application of:

Maria Petrou et al.

Serial No.:

10/535,323

Filed:

May 18, 2005

For:

Histological Assessment of Nuclear

Pleomorphism

Commissioner for Patents P.O. Box 1450 Arlington, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

- 1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement

JAN 1 7 2006

- b. Copy of Cited Non-U.S. Patent References
- c. Return Receipt Postcard
- 2. With respect to additional fees:
 - Attached is a check in the amount of \$ -0-
- Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
- CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of January, 2006.

Respectfully submitted,

By:

Reg. No. 32,901

McDONNELL BOEHNEN, HULBERT & BERGHOFF LLP 300 SOUTH WACKER DRIVE CHICAGO, ILLINOIS 60606 TELEPHONE (312) 913-0001

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

JAN 1 7 2006 Under the Paperwork Reduction Act uired to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet 1

RADEMAR

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Complete if Known			
Application Number	10/535,323		
Filing Date	May 18, 2005		
First Named Inventor	Petrou		
Art Unit	2621		
Examiner Name	Not Assigned		
Attorney Docket Number	05-405		

				DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5,978,497	11-2-99	Bannister et al.	
		^{US-} 5,235,522	8-10-93	Bacus	
		^{US-} 2002/0164063	11-7-02	Heckman	
		US-			
		US-			
		US-			· · · · · · · · · · · · · · · · · · ·
		US-		44	
		US-			
		US-			-
		US-			
		US-			
		US-	-		
		US-			
		US-	 		
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Cite Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T		
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Or Relevant Figures Appear	T
		WO 99/08091	2-18-1999	Oncometrics Imaging		
	ļ					L
						Ĺ
]					

Examiner Signature	Date	
Olgitatuic	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO	Complete if Known		
	Application Number	10/535,323	
INFORMATION DISCLOSURE	Filing Date	May 18, 2005	
STATEMENT BY APPLICANT	First Named Inventor	Petrou	
(Use as many sheets as necessary)	Art Unit	2621	
(osc as many sheets as necessary)	Examiner Name	Not Assigned	
Sheet 2 of 2	Attorney Docket Number	05-405	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
		Otsu, "A Threshold Selection Method from Gray-Level Histograms", IEEE, pp. 62-66 (1979)		
		Doudkine et al. "Nuclear Texture Measurements in Image Cytometry", Pathologica, pp. 286-299 (1995)		
		·		

			
Examiner		Date	
Signature		Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.